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Planning consent 66745

Discharge conditions report

- **10 Badger sett survey**
- **11 Invasive species method statement**
- **12 Ecological mitigation and enhancement**

Development of railway servicing facilities at Buckley Wells, Bury

22 October 2021

On behalf of East Lancashire Railway

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1 Summary

- **Condition 10: Badgers:** A re-survey of the site and within 30m of earthworks carried out on 22 October 2022 by an experienced ecologist established that there is no evidence of Badgers within the application site or the surrounding embankments, although there is one sett which has not seen recent use on the former allotment site within the wider depot site. No precautions are necessary when work begins. The results of the survey are in this report.
- **Condition 11: Invasive species survey: Japanese Knotweed (JK).** A separate report (220725 ELR Invasive species method statement) is provided detailing the extent of JK and control measures. A spraying programme started in Spring 2022 to eradicate JK from the site itself and in the wider Buckley Wells depot area before the development starts. The report contains a protocol to deal with any JK that remains within the work area. Any residual plants outside will be isolated by secure fencing.
- **Condition 11: Invasive species survey: Giant Hogweed and Himalayan Balsam (GH and HB).** GH is not present on or near the site. HB is present throughout the application site and is so common that there is no suitable habitat in the immediate area where it is not growing, and further spread is unlikely. There is little evidence that HB harms biodiversity. As the plant is annual and there will be a large soil seed bank, no control measures would either be effective or have a biodiversity benefit. Soil contaminated with HB seeds should be treated as controlled waste if it is moved off-site. It is therefore proposed that no material is moved off-site. No further control measures are recommended.
- **Condition 12: Ecological mitigation and enhancement plan:** The application site currently has both very low actual and potential biodiversity. The development will not reduce biodiversity further. Although the site is a weak point in a designated wildlife corridor, this has always been the case as the site is industrial. The following measures are proposed:
 - **Bat boxes/bricks** will be provided on the new depot building.
 - **Bird boxes** will be provided on the new depot building.
 - The **damp area overgrown with scrub bordering the school playing fields** will be enhanced in line with a management plan (see separate report 220906 ELR wetland area habitat management plan) which will create high-value flower-rich grassland and wetland habitats and would also bolster the wildlife corridor. Management of this, in partnership with the adjacent school provides substantial biodiversity net gain overall.
 - **Environmental education opportunities** will be pursued with local schools, the local community and the ELR membership. The ELR are engaging with these groups.

2 Introduction

This report has been prepared by Peter Black to provide information to support discharge of conditions 10 11 and 12 associated with planning application 66745 granted 23 February 2022 for development of an additional carriage shed at Buckley Wells Depot.

The author is a Chartered Town Planner (MRTPI), environmental manager and member of the Arboricultural Association with experience of over 25 years in planning, habitat surveys, management plans, the rail industry, and public transport. He is trained to recognise invasive species and the potential for protected species including bats, badgers, nesting birds and amphibians. Site visits were carried out on 25 June 2019, 4 October 2021, summer 2022 and 22 October 2022.

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3 Condition 10: Badger survey

10 If the development hereby approved does not commence before 1st October 2022, a re-survey of the site and within 30m of the earthworks for badger setts will occur and the findings supplied to and agreed in writing by the LPA.).

Badgers are common in Greater Manchester, although there are no records for this site. The application site is industrial land – primarily active railway sidings that have high disturbance and low potential both for setts or for foraging.

On 4 October 2021 a survey in line with Government Guidance [Badgers: surveys and mitigation for development projects](#) was carried out outside the application site including the embankment that adjoins the school and within 30 metres of these embankments for signs of badgers. This looked for sett entrances and spoil heaps, bedding, footprints, and badger paths.

There is a single abandoned sett in the former allotment area – within the overall Buckley Wells site, but over 30m from the application site. This has multiple entrances dug into an area of spoil within secondary woodland. Some entrances were collapsed and there was no evidence of recent digging or bedding. The 2021 surveys showed the sett has not been used in that year. No other evidence of badgers was found.

On 22 October 2022 a re-survey in line with Government guidance was carried out. This included a walk-over survey of the application site and within 30m of proposed earthworks. Apart from the abandoned sett – which showed more evidence of collapse but no evidence of use during 2022, no further evidence of badger setts was found. It is possible that the overgrown lower wetland/scrub area may be used for badger foraging or commuting, but this is over 30m from the nearest works, and will be fenced off for the duration of the works.

Evidence of smaller rabbit holes was found, and several wild rabbits spotted.

It is not considered that badgers will be affected by the proposed development, which is restricted to the upper siding area.

4 Condition 11: Invasive species survey

11 Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and japanese knotweed should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

A separate report (220725 ELR Invasive species method statement) details the extent and proposed treatment of invasive species.

Giant Hogweed: Surveys carried out in June 2019, and October 2021 found that this species is not present on or near the site. The re-survey on 22 October 2022 also failed to find this species, and therefore control measures are not necessary. There are large specimens of the harmless native Hogweed (*Heracleum sphondylium*) in the secondary woodland on the former allotments.

Japanese Knotweed (JK). The Invasive species method statement details the extent of JK and proposed control measures. A spraying programme started in Spring 2022 to eradicate JK from the site itself and

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in the wider Buckley Wells depot area before the development starts. The report contains a protocol to deal with any plants that remain within the work area, and any plants outside will be isolated by secure fencing.

Himalayan Balsam (HB) is present throughout the application site and is so common that it is already growing in every suitable habitat in the immediate area. Further spread is unlikely. There is little evidence that HB harms biodiversity. The plant is annual and survives through a large soil seed bank. There are no control measures that could be taken would either be effective or would have a biodiversity benefit. Soil contaminated with HB seeds should be treated as controlled waste if it is moved off-site. It is proposed that no material is moved off-site. No further control measures are recommended.

5 Condition 12: Ecological mitigation and enhancement plan

12 Prior to development an ecological mitigation and enhancement plan including but not restricted to: · Mitigation for loss of trees; · Mitigation for loss of bird nesting and bat roosting habitat and; · Demonstrating enhancement of the Wildlife corridor The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

5.1 Bats

The existing Listed carriage shed (to be refurbished as part of the development) was assessed (Bat Scoping Report by UES 1 Dec 2021) as having low bat roosting potential. This is because whilst there are numerous crevices for bats, these do not lead to any voids, the building is well lit by roof lights and unlined, with no roof void and the building subject to heavy engineering works. In line with best practice one emergence survey has been recommended. Bat emergence surveys will be carried out and a reasonable avoidance measures method statement provided to discharge condition 9 should finance become available to refurbish the existing carriage shed.

There are **no trees with suitable features for bat roosts** on the application site. However, the new building does provide an opportunity to provide additional bat roosts through **bat boxes or bricks** on the new depot building, which will have brick facades..

Six runs of four Bat bricks (24 in total) are proposed for the new carriage shed. [Ibstock Bat Brick B or C](#) would be appropriate, although other makes have comparable performance. These will be placed at least 3m above ground. Bats often roost in different places at different times of year so they can maintain a constant temperature, so the runs of bat bricks will be distributed around the building.

5.2 Birds

The current site has limited potential for bird nesting, with high levels of lighting, noise, steam/diesel exhausts and other disturbance such as engineering activities and human movement. Nevertheless, there is potential to provide nest sites through bird boxes.

Bird boxes will be provided on the new depot building. It is suggested that 12 nesting boxes are provided for the new carriage shed. The boxes should face between north and east, avoiding strong sunlight and the wettest winds. The boxes should also have a clear flight path to the nest without any clutter directly in front of the entrance.

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The entrance hole sizes should be a mix of 25 mm (blue, coal and marsh tits), and 28 mm (great tits, tree sparrows and pied flycatchers). These will be fixed on the side wall of the shed, between two to four metres up.

5.3 Biodiversity improvements

The area where the new shed is to be constructed is currently active wildlife sidings with negligible biodiversity value (see habitat survey report 25 June 2019 and 211004 ELR additional biodiversity report). Any biodiversity improvements will provide biodiversity net gain (BNG).

There is potential to enhance the marshy grassland area within ELR ownership (bordering the school playing fields) which would also bolster the wildlife corridor. This currently has limited and declining current wildlife value and will dry out and reduce further in value if no action is taken. Management of this, in partnership with the school would provide BNG for the development overall.

This area has impeded drainage and contains a shallow pond with typical plants such as Reedmace (*Typha latifolia*) surrounded by Goat Willow scrub and marshy grassland including marsh and common spotted orchids (figure 3) on the eastern edge (although these could not be found in October 2021). The area is heavily shaded and encroached on by tipping from the main carriage sidings site. Without management it is likely to gradually decline in wildlife value as scrub growth and over shading increases and the pond dries out.

This area has the potential to provide BNG and will be enhanced in line with a management plan (see separate report 220906 ELR wetland area habitat management plan) which will create high-value flower-rich grassland and quality wetland habitats and would also bolster the wildlife corridor. Management of this in partnership with the adjacent school will provide substantial biodiversity net gain for the area overall.

5.4 Environmental education opportunities

Environmental education opportunities will be pursued with local schools, the local community and the ELR membership. The ELR has already approached and involved the neighbouring school. There is significant potential to involve these groups in improving the biodiversity of the area (in line with the management plan) and through field studies on the site both in its current and improved states.

The plan envisages both habitat creation, access improvements and interpretation, especially in line with school Key Stage work.

6 Wildlife corridor

GMEU note that: ‘... *The footprint of the development site has generally negligible ecological value but does form part of a wildlife corridor that follows the route of the ELR and Metrolink through the Borough and to Heywood, this section through Bury being a weak point in the corridor. The development therefore provides an opportunity to strengthen the Wildlife Corridor through native planting along the boundaries of the development site and enhancement of the existing habitat to either side of the development platform. Mitigation for loss of bird nesting habitat and potentially bat roosting habitat should also be provided. Given the generally low ecological value of the site and large area of land available to the ELR for mitigation to occur, I am satisfied that the detail can be resolved via a condition...*

The Buckley Wells site is anomalous in planning terms in that it is allocated both for industrial use (as an active railway) and is expected to function as a wildlife corridor. In fact, the area of land available to the ELR at Buckley Wells is limited: most of the land is already used as an active depot to serve the

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premier tourist attraction in the borough, which is expanding and provides a significant number of engineering and other jobs and training opportunities. The land to the east of the existing carriage shed is largely used for active railway purposes – including maintenance and storage. While there is some scrub, the ecological opportunities are low.

The land to the west of the existing carriage shed at the higher level is almost all used for active railway purposes (including training Metrolink staff) and the opportunities are also low. The area at a lower level is the only significant opportunity for BNG, and this is being taken – see para 5.3 in this report, and separate report 220906 ELR wetland area habitat management plan. These improvements will strengthen the wildlife corridor.

GMEU accept that the application site has a '*negligible ecological value*' and the development will not change this. Although the site is a weak point in a designated wildlife corridor, this has always been the case as the site is industrial. There will be no loss of bird nesting habitat because of the development (as there is no vegetation apart from ruderal weeds) and no loss of bat roosting habitat as only refurbishment is proposed for the carriage shed which should not affect roost availability, and there is limited potential bat roosts in vegetation either on or surrounding the site.

In summary, the proposals show both net biodiversity gain and will strengthen the wildlife corridor.

7 Areas unsuitable for ecological mitigation

7.1 Metrolink boundary (west)

GMEU have suggested that there is potential for enhancement to the western boundary with the live Metrolink line. This is outside the development boundary. Having looked at this area in some detail, I would make these observations:

- Some natural regeneration has occurred in places on the ELR side of the western boundary.
- The Metrolink side provides a significant wildlife corridor and is unlikely to be disturbed.
- This side is close to the depot offices and an existing shed and is intensively used for parking and storage of rail-related items. Access is needed for Metrolink operations.
- Several operational changes had taken place between my visits in 2017, 2019, 2021 and 2022. meaning some areas along this boundary have either come into or out of railway use.

This leads me to conclude that the area is needed operationally by the railway and there is limited opportunity for habitat enhancement. In any case, as storage areas necessarily change (due to the nature of stored items) it is not possible to predict which areas would be needed. In any case, it is likely that any planting would not survive even if protected by fencing.

8.3 Tree mitigation

GMEU suggest that there should be '*Mitigation for loss of trees*'.

Survey has established that there are no trees on the development site as it is essentially railway sidings. Around the boundaries outside the development site there is a typical range of pioneer species (Goat and Grey Willow, Birch, Oak, Sycamore and Ash). These were assessed in accordance with British Standard 5837: 2012 'Trees in Relation to Design, Demolition and Construction - Recommendations' (BS5837). Trees are categorised into one of the four categories to identify their quality and value and indicate importance in relation to the site and the local landscape.

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None of the trees around the site would score higher than Category C (*Trees of low quality and value which might remain for a minimum of 10 years or young trees with stems of less than 150mm diameter. Trees with very limited conservation or other benefits*).

All are relatively young, of limited wildlife value and are not on the development site itself. Collectively the trees to the north and western boundaries form a good landscape screen. These should be retained. Those to the school (western) side are included in the wetland area management plan.

No recommendations are made for mitigation for loss of trees as none are affected by the development proposal.

End of report appendix follows.

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Appendix one – photos



Figure 1 Japanese Knotweed near wetland area(2019)



Figure 2 Wetland area (2019)



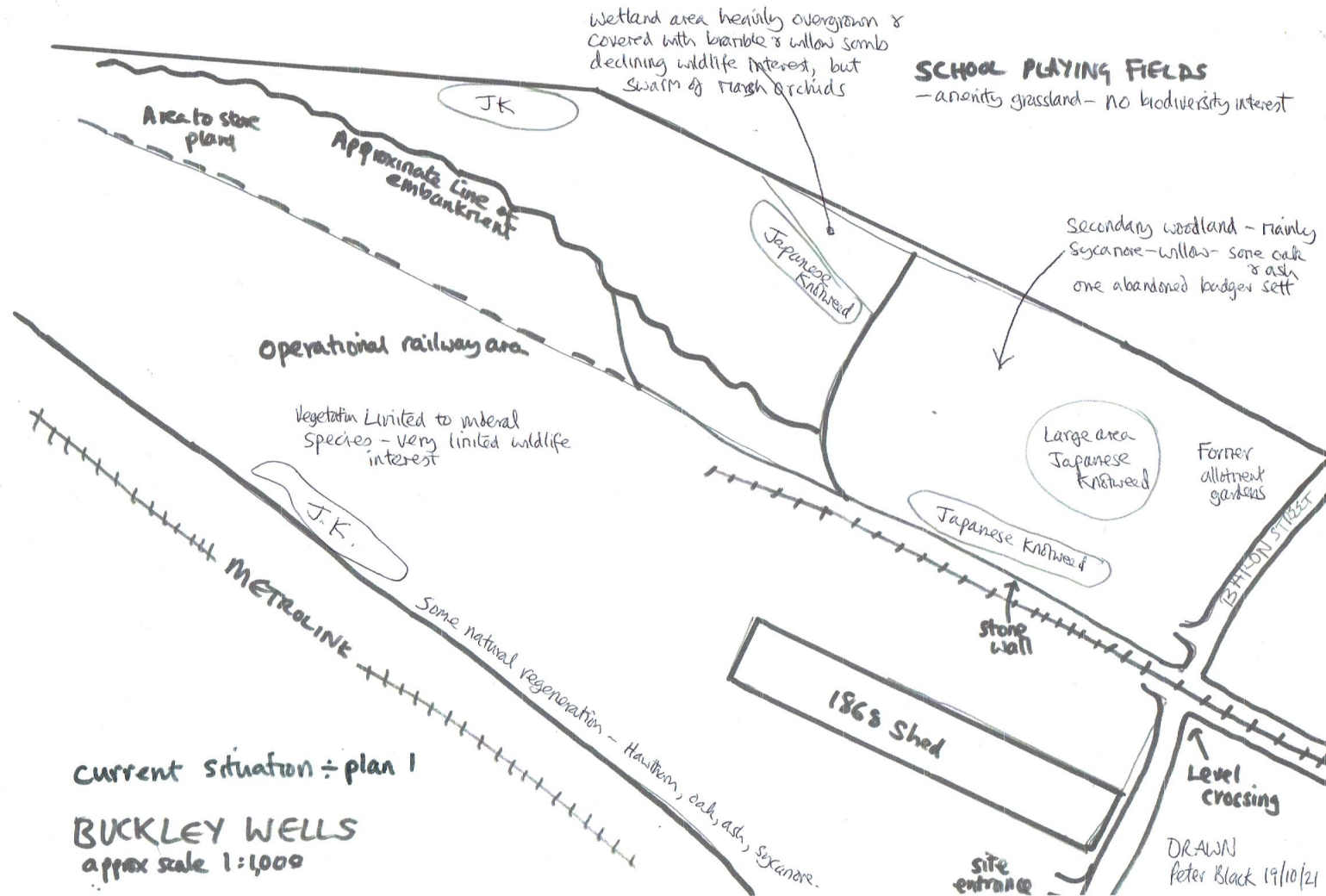
Figure 3 Himalayan Balsam



Figure 4 Badger sett 2021. This shows no recent activity

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Appendix two – existing situation and proposed management (for details refer to separate report)

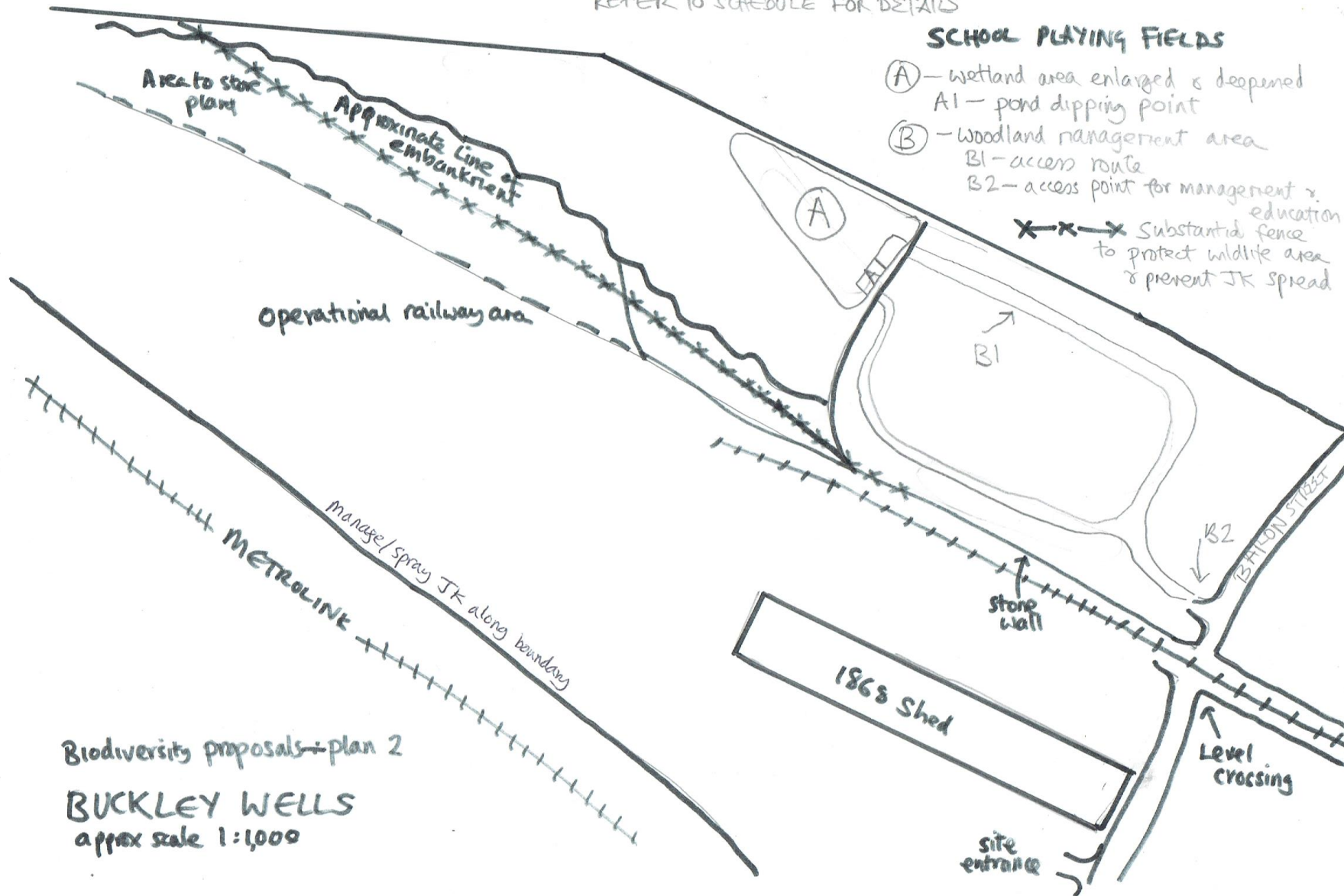


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DRAFT BIODIVERSITY PLAN
REFER TO SCHEDULE FOR DETAILS

SCHOOL PLAYING FIELDS

- Ⓐ - wetland area enlarged & deepened
 - A1 - pond dipping point
 - Ⓑ - woodland management area
 - B1 - access route
 - B2 - access point for management & education
- ✕✕✕ Substantiated fence to protect wildlife area & prevent JK spread



Biodiversity proposals - plan 2

BUCKLEY WELLS
approx scale 1:1000